

From: Lamberth, Larry [mailto:Lamberth.Larry@epa.gov]
Sent: Thursday, January 08, 2015 8:00 AM
To: Crockett, Chip
Cc: Zapata, Cesar; Himes, Daryl; Stallworth, Clethes
Subject: Benjamin Moore

Morning Chip,

A CEI was performed at Benjamin Moore Paint (Pell City) on November 6, 2013. This was an EPA lead inspection targeted under a regional initiative (organic air emissions). During the inspection, one of the spent solvents generated as a result of the facility's paint manufacturing operations was being accumulated on-site as a product before being transported to GDB International in Nashville, Illinois. This spent solvent has a flash point of less than 140 degrees Fahrenheit. At the time of the inspection, Benjamin Moore officials stated that the solvents were used as a product by GDB or companies that purchased the spent solvent from GDB International.

On April 2, 2014, an information request was sent to Benjamin Moore about the management of the spent solvent being sent off-site to GDB International. A response to an April 2, 2014, information request included information about treatment activities (i.e. physical separation) which are performed on the spent solvent prior to use by a company in China which purchases the solvents from GDB International. These treatment activities make the spent solvents hazardous wastes and no longer exempt.

A response to a second information request sent to Benjamin Moore on November 25, 2014, revealed that 81 shipments of approximately 4800 gallons each have been sent to GDB International over the past 4 years.

Since this is a multi-regional case and involves potential illegal exportation of HW, EPA will be taking the lead on enforcement. The inspection report and Show Cause letter will be mailed this week. We will keep you and/or your staff apprised as to the progress of the case. Let me know if you have any questions.

Larry

Larry L Lamberth

Chief, Hazardous Waste Enforcement and Compliance Section
Enforcement and Compliance Branch
Resource Conservation and Restoration Division

United States Environmental Protection Agency
Sam Nunn Atlanta Federal Center
61 Forsyth Street
Atlanta, Georgia 30303

Work 404-562-8590

Cell 404-769-5583

Fax 404-562-8566